

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America )

v. )

David Greathouse (YOB 1984) )

Defendant(s)

Case No.

KRM 2261

**FILED**UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUL 26 2019

MITCHELL R. ELFERS  
CLERK

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 26, 2019 in the county of Bernalillo in the  
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 924(c)	Possessing a Firearm in Furtherance of a Drug Trafficking Crime
18 USC § 922(g)(1)	Felon in Possession of a Firearm and Ammunition
21 USC §§ 841(a)(1) and (b)(1)(C)	Possession with Intent to Distribute Heroin
21 USC §§ 841(a)(1) and (b)(1)(C)	Possession with Intent to Distribute Cocaine

This criminal complaint is based on these facts:

The affidavit of Special Agent Nancy Stemo is incorporated herein by reference.

☒ Continued on the attached sheet.

Complainant's signature

Nancy Stemo, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: July 26, 2019

Judge's signature

City and state: Albuquerque, New Mexico

John F. Robbenhaar, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Nancy Stemo, being duly sworn, depose and say:

1. I have been a law enforcement officer since May 2016 and am employed as a Special Agent with the Federal Bureau of Investigation. This affidavit is submitted in support of a criminal complaint charging David GREATHOUSE (born in 1984) with the following federal violations:

- a. 18 U.S.C. § 924(c) – Possessing a Firearm in Furtherance of a Drug Trafficking Crime;
- b. 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition;
- c. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Heroin; and
- d. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Cocaine.

**Background:**

2. I have reviewed GREATHOUSES's criminal history and am aware he has several prior arrests in New Mexico with felony convictions for Possession of a Firearm (2009), Aggravated Assault (2009), Conspiracy to Commit Armed Robbery with a Deadly Weapon (2005) and Kidnapping (2005).

**Investigation:**

3. On July 23, 2019, I obtained a U.S. District Court search warrant for GREATHOUSE's residence, located at 6321 Central Avenue NW, Apartment 3B, Albuquerque, New Mexico. The search warrant was authorized by U.S. Magistrate Judge John F. Robbenhaar and authorized agents to search the premises for evidence of 21 U.S.C. § 843(b) - Use of a Communication Facility to Facilitate Drug Trafficking, 21 U.S.C. §§ 841 and 846 – Drug Trafficking and Conspiracy to Commit Drug Trafficking. The search warrant was assigned case number 19MR847.

4. On July 26, 2019, at approximately 6:05am, members of the FBI Safe Streets Task Force executed the search warrant on the residence. GREATHOUSE, Crystal GARCIA, and three juvenile males were located inside the home. During a search of the residence, FBI agents located and seized the following items of contraband:

- a. One Smith and Wesson M&P15 rifle, serial number TF83929;
- b. One Tapco SKS rifle, serial number 1404320;
- c. One loaded Glock 19 handgun, serial number BEGS585;

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

- d. Various ammunition of different calibers;
- e. Three plastic bags containing a white powdery substance which field tested positive for cocaine (seized weights of 77.9 grams, 39.8 grams, and 13.2 grams);
- f. One plastic bag containing a brown hard substance which field tested positive for heroin (seized weight of 25.4 grams); and
- g. Two cellular telephones.

5. GREATHOUSE was advised of his Miranda rights and said he understood his rights and was willing to speak with FBI agents. GREATHOUSE indicated he was a convicted felon and admitted the drugs in the residence, approximately one ounce of heroin and two ounces of cocaine, and the fully automatic Glock with a silencer, were his. Both substances and the Glock handgun were located together in a black backpack in GREATHOUSE's bedroom. GREATHOUSE also admitted the SKS rifle in the closet was his. GREATHOUSE stated he modified the Glock handgun and the SKS rifle to be fully automatic. The Smith and Wesson rifle was also located in GREATHOUSES' closet. GREATHOUSE stated there was "stuff" all over the house and all of it was his. The white powdery substances field tested positive for cocaine and the black hard substance field tested positive for heroin.

6. Based on my training and experience, I know that the amounts of cocaine and heroin listed above are consistent with distribution, and are not consistent with personal use.

7. I also know through my training and experience that it is common for individuals engaged in drug trafficking to possess firearms to protect the drug trafficker from other who may seek to steal drugs or drug proceeds from the drug trafficker.

8. Based on my training and experience, I know that Glock, Smith and Wesson, and Tapco firearms are manufactured outside New Mexico, and therefore, have traveled in interstate commerce. The specified handgun and rifles, respectively, meet the federal definition of a "firearm."

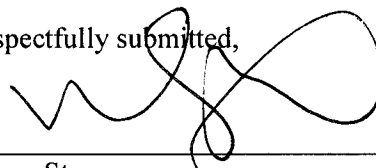
**Conclusion:**

9. Based on the above information, I believe that there is probable cause to believe that GREATHOUSE violated:

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

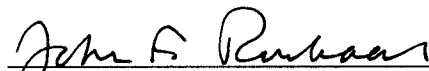
- a. 18 U.S.C. § 924(c) – Possessing a Firearm in Furtherance of a Drug Trafficking Crime;
- b. 18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and Ammunition;
- c. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Heroin; and
- d. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Possession with Intent to Distribute Cocaine.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nancy Stemo', written over a horizontal line.

Nancy Stemo  
FBI Special Agent

Subscribed and sworn to before me on July 26, 2019:

A handwritten signature in black ink, appearing to read 'John F. Robbenhaar', written over a horizontal line.

John F. Robbenhaar  
U.S. Magistrate Judge